

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

YAHAMA C. RODGERS,

Plaintiff,

vs

6:04-CV-770

JoANNE B. BARNHART, Commissioner,
Social Security Administration,

Defendant.

APPEARANCES:

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DAVID N. HURD
United States District Judge

OF COUNSEL:

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WILLIAM H. PEASE, ESQ.
Assistant U.S. Attorney

DECISION and ORDER

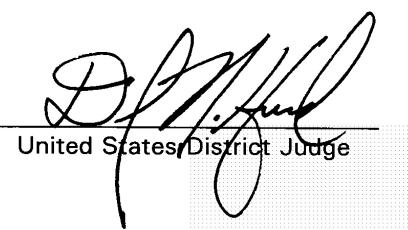
Plaintiff, Yahama C. Rodgers, brought this action seeking judicial review pursuant to 42 U.S.C. § 405(g) of the Social Security Act. By Report and Recommendation dated January 23, 2006, the Honorable Gustave J. DiBianco, United States Magistrate Judge, recommended that this case be reversed for an award of benefits for a closed period of April 12, 2001 to October 29, 2003. The parties have timely filed objections to the Report and Recommendation.

Based upon a de novo determination of the portions of the report and recommendations to which the parties have objected, the Report-Recommendation is accepted and adopted in whole. See 28 U.S.C. 636(b)(1). Accordingly, it is

ORDERED that this case is reversed for an award of benefits for the closed period of April 12, 2001, to October 29, 2003.

The Clerk is directed to enter judgment accordingly.

IT IS SO ORDERED.



United States District Judge

A handwritten signature in black ink, appearing to read "D.N.H.", is written over a horizontal line. Below the line, the text "United States District Judge" is printed in a smaller, sans-serif font.

Dated: March 16, 2006
Utica, New York.